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**WELFARE AND INSTITUTIONS CODE - WIC**

**DIVISION 9. PUBLIC SOCIAL SERVICES [10000 - 18999.98]** ( *Division 9 added by Stats. 1965, Ch. 1784.*  )

**PART 2. ADMINISTRATION [10500 - 10985]** ( *Part 2 added by Stats. 1965, Ch. 1784.*  )

**CHAPTER 3.5. State Administration of Health Care Services and Medical Assistance [10720 - 10752]** ( *Chapter 3.5 added by Stats. 1977, Ch. 1252.*  )

**ARTICLE 1. Organization [10720 - 10728]** ( *Article 1 added by Stats. 1977, Ch. 1252.*  )

**10720.** As used in this chapter, "department" means the State Department of Health Services, and "director" means the State Director of Health Services.

(*Added by Stats. 1977, Ch. 1252.*)

**10721.** The director shall administer Chapter 7 (commencing with Section 14000) and Chapter 8 (commencing with Section 14200) of Part 3 of this division and any other law pertaining to the administration of health care services and medical assistance. He shall perform such other duties as may be prescribed by law and shall observe and report to the Secretary of Health and Welfare and the Governor on the condition of health care services and medical assistance throughout the state

(*Added by Stats. 1977, Ch. 1252.*)

**10722.** The State Department of Health Services succeeds to and is vested with the duties, purposes, responsibilities, and jurisdiction exercised by the State Department of Health or the State Department of Benefit Payments pursuant to Chapter 7 (commencing with Section 14000), Chapter 8 (commencing with Section 14200), Chapter 8.5 (commencing with Section 14500), and Chapter 8.7 (commencing with Section 14520) of this part on the date immediately prior to the date this section becomes operative. Functions transferred pursuant to this section include the management and administration of the Health Care Deposit Fund and the audit and recovery of amounts due as the result of payments made under the California Medical Assistance Program (Medi-Cal).

Transfer to the State Department of Health Services of the above functions shall not impair any contract between the State Department of Health or the State Department of Benefit Payments and any third party and such transfer shall neither create nor vest any right or obligation in either party. In no case shall the substitution of the State Department of Health Services for the State Department of Health or the State Department of Benefit Payments be considered a breach of contract or failure of performance, nor shall it disturb the legal relationships of the parties.

(*Amended by Stats. 1978, Ch. 432.*)

**10723.** The State Department of Health Services shall have possession and control of all records, papers, offices, equipment, supplies, moneys, funds, appropriations, land, and other property real or personal held for the benefit or use of the Director of Health or the Director of Benefit Payments in the performance of his duties, powers, purposes, responsibilities, and jurisdiction that are vested in the State Department of Health Services by Section 10722.

(*Added by Stats. 1977, Ch. 1252.*)

**10724.** All officers and employees of the Director of Health and the Director of Benefit Payments who on the operative date of this section are serving in the state civil service, other than as temporary employees, and engaged in the performance of a function vested in the State Department of Health Services by Section 10722 shall be transferred to the State Department of Health Services. The status, positions, and rights of such persons shall not be affected by the transfer and shall be retained by them as officers and employees of the State Department of Health Services pursuant to the State Civil Service Act, except as to positions exempt from civil service.

(*Added by Stats. 1977, Ch. 1252.*)

**10725.** The director may adopt regulations, orders, or standards of general application to implement, interpret, or make specific the law enforced by the department, and those regulations, orders, and standards shall be adopted, amended, or repealed by the director only in accordance with Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code. Regulations relating to services need not be printed in the California Code of Regulations or the California Regulatory Notice Register if they are included in the publications of the department. This authority also may be exercised by the director's designee.

In adopting regulations the director shall strive for clarity of language that may be readily understood by those administering services or subject to those regulations.

The rules of the department need not specify or include the detail of forms, reports, or records, but shall include the essential authority by which any person, agency, organization, association, or institution subject to the supervision or investigation of the department is required to use, submit, or maintain those forms, reports, or records.

*(Amended by Stats. 2014, Ch. 442, Sec. 21. (SB 1465) Effective September 18, 2014.)*

**10726.** All regulations heretofore adopted by the Director of the State Department of Benefit Payments which relate to payment, accounting, auditing and collection functions vested in the State Department of Health Services, or by the State Department of Health or any predecessor department which relate to health care services or medical assistance functions vested in the State Department of Health Services, and which are in effect immediately preceding the operative date of this section, shall remain in effect and shall be fully enforceable unless and until readopted, amended or repealed by the State Director of Health Services.

*(Amended by Stats. 1978, Ch. 429.)*

**10727.** Except as otherwise provided by law, for purposes of the Health and Safety Code and this code, and any regulations adopted thereunder, after June 1, 1996, "children's hospital" means any of the following hospitals:

- (a) Valley Children's Hospital, Madera.
- (b) Miller Children's Hospital, Long Beach.
- (c) Childrens Hospital Los Angeles, Los Angeles.
- (d) Children's Hospital Medical Center of Northern California, Oakland.
- (e) Children's Hospital of Orange County.
- (f) Lucile Salter Packard Children's Hospital at Stanford, Palo Alto.
- (g) Children's Hospital and Health Center, San Diego.
- (h) Loma Linda University Children's Hospital, Loma Linda.

*(Amended by Stats. 2001, Ch. 290, Sec. 2. Effective January 1, 2002.)*

**10728.** (a) Except as otherwise provided by law, for purposes of this code and the Health and Safety Code, and any regulations adopted thereunder, "University of California children's hospital" means each of the University of California children's programs within the five University of California academic medical center campuses.

(b) This section is not intended to preclude participation by other entities in funding that would benefit children's health care programs.

(c) For purposes of this section, the term "children's hospital" may be used for signage, marketing, community service, and other university communication and philanthropic purposes only.

(d) Nothing in this section shall affect eligibility for any existing state funded health care programs.

*(Added by Stats. 2001, Ch. 290, Sec. 3. Effective January 1, 2002.)*